

WILSON'S PERSONAL APPEAL

BEGS CONGRESS TO SUSTAIN THE NATIONAL HONOR

SUPREME COURT SETTLES QUESTION OF PROTECTING WAGES FROM LEASERS

The News on last Sunday published four decisions of the supreme court of the state of Nevada. The decision in case of John B. Lamb, appellant, vs. The Goldfield Lucky Boy Mining Co. and the Goldfield Aristocrat Mining and Leasing Co., corporations, is of great interest to all miners, mechanics and material men, who may claim a lien upon property for labor performed or for material furnished. To cut it short, the Goldfield Lucky Boy Mining Co., being the owner, leased certain mining

claims to Goldfield Aristocrat Mining and Leasing Company, and failed to post any notice to the effect that its property would not be responsible for any work performed or material furnished. John B. Lamb performed certain work upon the mining claims in question under employment by the leasing company, and so did a man named George B. Crowell, who assigned his claim to Lamb, and the latter filed a lien upon the properties of the lessor, and in due time sued to foreclose the liens. The lessor defended upon the ground that it was not responsible for the debts contracted by the lessee.

In determining the question the court holds:

"If the lease in question, given by the Goldfield Lucky Boy Mining Company to the Goldfield Aristocrat Mining Company, was given with the sole object and view of prospecting the property, or of improving the property in the way of determining the existence of ore bodies therein, or for the extraction of ore without any provision for the lessee to acquire benefit from the ore extracted, then the lessee was a contractor, working on the property in the interest of the lessor, and must be held to be the agent of the owner, under the provisions of section 1 of our lien law. On the other hand, if by provisions of the lease under which the Goldfield Aristocrat Mining Company operated the property, the lessor was to derive a stipulated benefit from the ore extracted by the lessee or some share in the net profits derived from the property then the lease was a contract between the parties and by its covenants the lessee undertook to do the mining work, and both the lessee and the lessor were to share in the proceeds and benefits of the work. Hence, the lessor was not only the indirect, but the direct beneficiary of the labor performed in the property and all the material furnished therein and it is obviously the intent of the statute and manifestly its spirit to allow a lien for mining work done upon a mine against the estate of interest therein of the person who is to be benefited thereby."

The supreme court cites authorities from the supreme court of Nevada in support of the decision, but none as clear and as explicit as its own.

This decision will practically stop owners of mines and mining claims from leasing their properties to irresponsible leasing companies in the expectancy of escaping liability for work performed therein, or material furnished, unless they post a notice to that effect, and the posting of such notice will warn miners, mechanics and material men to beware of the leasing company.—Carson News.

MEXICAN PAROLED FROM STATE PRISON GETS DRUNK

Ira Beltrair, who was sent to prison for life from Nye county several years ago, was a prisoner in the police court this morning, charged with being drunk in Reno. Instead of being sent back to Carson City as a violator of his parole, he was discharged. He said an employment agency had agreed to ship him to work. Beltrair was sentenced for killing another Mexican south of Tonopah.—Reno Gazette.

Don't imagine that life together will be bearable just because life apart is unbearable.

TONOPAH SPORTS VISIT GOLDFIELD THIS AFTERNOON

LOCAL ROOTERS GO TO GOLDFIELD TO ARRANGE FOR PLACING SEATS ON SALE

The big fight set for next Thursday at the Nevada theater is shaping up nicely and the sale of seats is on in full swing. There was such a local demand for tickets in the highest priced part of the house that the Tonopah Athletic Club found it necessary to limit the supply for home fans who can be persuaded to accept less favored sections so the guests of Tonopah may get the best in the house.

This afternoon Jules Smith, in his high powered car, went over to Goldfield, accompanied by Fred A. Burnham, Nick Abelman and Charles Wittenberg, for the purpose of showing the southern fight fans that Tonopah is going to do the right thing by the visitors. It is said that the Goldfield contingent will come with a brass band to cheer up their champion and to show Tonopah that they appreciate the way the silver camp likes of doing things at the right time.

Training quarters in both camps are crowded daily with admirers of their respective men and, while there has not been any betting yet it is clearly shown that the men who staked such large sums on the previous meeting in Goldfield are not going to stand idle when there is a chance for either man to win. Tonopah money is ready to back George, while Goldfield still thinks Graham can get the decision.

BRAZIL IN THROES OF A COLOR LINE REVOLUTION

FIGHTING GOING ON AND SEVERAL BATTLES FOUGHT IN THREE STATES

(By Associated Press.) RIO DE JANEIRO, March 5.—A state of siege has been proclaimed. A revolution caused by racial differences is spreading over the states of Pernambuco, Ceara and Para.

Business is at a standstill, especially where the negro population is large. Details of several battles are meagre.

Unemployed I. W. W. Driven Out of Catholic Church

(By Associated Press.)

NEW YORK, March 5.—One hundred and ninety unemployed men and one woman were jailed in default of \$1000 bail each, as the result of refusal to leave St. Alphonsus Catholic church, which they invaded last night and demanded food and shelter. The priest ordered the invaders out unless they desired to worship there. The crowd defied him, whereupon the police acted to prevent rioting in churches.

Industrial workers of the world supporting the cause, furnished a lawyer to defend the crowd, which has been demanding food and shelter in raids on various churches for the last week.

English Test Before Court

CARSON CITY, March 5.—The U. S. Circuit court has taken under advisement the suit of the State vs. W. H. Blackburn, of the Tonopah Mining Company for employing miners unable to speak English. The defense alleges class legislation, taking the ground that the law was enacted in the interest of Tonopah merchants without reference to the hazards of miners.

DEFEAT OF WILDES

(Special to the Bonanza.) CARSON, Nev., March 5.—In the State bank case the order allowing Wildes' compensation and attorney's fees was set aside by the Supreme court in an opinion today.

WATERED MILK PALMED OFF ON LOCAL BUYERS

RENO FIRM HALED INTO COURT TO EXPLAIN A CLEAR ADULTERATION

Prof. C. S. Dinmore, of the Pure Food Laboratory and Weights and Measures departments, has found the secret of the sky blue milk that is being served in southern Nevada by innocent dealers. This milk comes from the Crescent Creamery Company, of Reno, and has always been supposed to be of excellent quality as it was sterilized and carefully handled by the shippers. Last week Mr. Dinmore was in Tonopah and Goldfield and found something that aroused his suspicion. On returning home he made a closer examination and discovered that the milk was being freely adulterated with water.

On the basis of the quantity consumed here it is figured that the Crescent Creamery Company cleared \$1780 on shipments sent annually to Tonopah and Goldfield alone, without considering the other sections of the state. The manager of the dairy is John Chism and he was cited to appear before the Justice court in Reno this morning.

The dairymen of Tonopah and Goldfield were innocent of any fraud, as they paid full market price for their milk and thought they were receiving the genuine article. The home made product of these dairies taken from cows fed and milked in each town showed a high percentage of fats and solids and equalled the best in the State.

NO SURRENDER BUT LOTS TALK ABOUT SLAYERS

MEXICAN GENERAL IS LONG ON PROMISE BUT SHY OF FILMENT

(By Associated Press.) AUSTIN, Tex., March 5.—Joaquin Maas, Mexican federal general, commanding the district where Vergara was held across the border and murdered, replied to Governor Culbertson's request for extradition of the assassin that he had orders for their arrest. He did not say whether they would be surrendered to the Texas authorities.

Advertiser in the Bonanza.

THE EXEMPTION OF AMERICAN SHIPS IS MISTAKEN POLICY, SAYS EXECUTIVE IN URGING INSTANT WITHDRAWAL

OLD CARPENTER LOSES EYESIGHT

W. H. Johnson, one of the old time carpenters of Tonopah who is credited with having accumulated \$20,000 here in the last thirteen years by working at his trade, left this morning for his old home in Vermont, Ill. He was escorted by his son Burleigh, who arrived recently on hearing that his father was losing his sight.

BRYAN OPPOSES JAWFEST OVER FOREIGN POLICY

SECRETARY IS WILLING TO CEASE TALKING IF CONGRESS WILL DO THE SAME

(By Associated Press.) WASHINGTON, March 5.—Secretary Bryan discussed Mexican complications with the house foreign affairs committee in executive session. He supported the administration's policy and asked for non-partisan congressional co-operation, reserving all proposed speeches for the fall. Works of the Senate committee on Mexican complications, opposed the plan. He said it was inadvisable to precipitate a discussion at this time. Felix Diaz attempted to get a hearing before the senate foreign relations committee to give his views on the complications.

TROOPS PROTECT STRIKEBREAKERS MICHIGAN MINES

PETITIONS FOR NATURALIZATION TO BE HEARD

(By Associated Press.) HOUGHTON, Mich., March 5.—Otto Potter, superintendent of the Superior mine, told the congressional investigators that bunk houses were guarded to protect non-union men from strikers, not to restrict the liberty of imported strike breakers, of whom Potter brought about 1700 into the copper country since the strike began. He said strike breakers' trains were attacked with dynamite by strikers and shot up on several occasions. He described the history of the strike and disorders.

COAL INVESTIGATORS GOING INTO NORTHERN COLORADO

(By Associated Press.) DENVER, March 5.—Congressional investigators began final sessions here, with the intention of observing the labor feud in the lignite fields.

Mina Shooting Without Harm

(By Associated Press.)

MINA, March 5.—A shooting scrape occurred at 3 o'clock this morning by which an Italian tried to kill Frank Carr, formerly a saloon keeper of Goldfield. The shooting took place in Simon's saloon, where three shots were discharged. All went wild. The Italian was arrested and will be held for intent to kill.

(By Associated Press.)

WASHINGTON, March 5.—President Wilson read his own personal plea for the repeal of the Panama tolls exemption clause of the 'anal act before a joint session of Congress.

Wilson appealed to Congress to sustain national honor in upholding treaty obligations by repealing the exemption clause against which Great Britain protests. In support of the foreign policy of the administration he said the exemption of American ships was a mistaken economic policy in contravention of the Hay-Pauncefote treaty. "The large thing, the only thing we can afford to do, is withdrawal from a position that is everywhere questioned and misunderstood—without quibble or hesitation."

The message was only 420 words, and took less than five minutes in delivery.

The house, chamber and galleries, were crowded. Wilson was applauded.

Ten minutes after the president left Senator Chilton of the canals committee introduced by request of Wilson a bill to suspend tolls.

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